

**Submission to Parliament
under section 42(4)
of the *Land Administration Act 1997***

PROPOSAL

Submission No: 07/2023

**Submitted by the
Minister for Lands**

on 16TH of November 20

**SUBMISSION TO PARLIAMENT
UNDER SECTIONS 42(4)
OF THE LAND ADMINISTRATION ACT 1997**

The proposal detailed in this report is required by the above provisions to be laid before each House of Parliament.

Section 43 of the *Land Administration Act 1997* provides as follows:

43(1) *If, after a proposal is laid before each House of Parliament under Sections 42(4), 44(1) or 45(4) notice of a resolution disallowing the proposal –*

- (a) is not given in either House of Parliament within 14 sitting days of that House after the proposal was laid before it, the proposed reduction, excision, cancellation, change, grant or permission may be implemented by order after the last day of the later of those periods of 14 sitting days;*
 - (b) is given in either or both of the Houses of Parliament within 14 sitting days of that House, or each of those Houses, after the proposal was laid before it, but that resolution is not lost in that House or each of those Houses within 30 sitting days after the proposal was laid before it, the proposed reduction, excision, cancellation, change, grant or permission lapses; or*
 - (c) is given in either or both of the Houses of Parliament within 14 sitting days of that House, or each of those Houses, after the proposal was laid before it, but that resolution is lost in that House or each of those Houses within 30 sitting days after the proposal was laid before it, the proposed reduction, excision, cancellation, change, grant or permission may be implemented by order after that loss or after the later of those losses, as the case requires.*
- (2) It does not matter whether or not a number of sitting days referred to in subsection (1) or some of them occur during –*
- (a) the same session of Parliament; or*
 - (b) the same Parliament,*

as that in which the relevant proposal is laid before the House of Parliament concerned.

The proposal set out in this report is accordingly tabled in this House on this...^{16TH} day of ^{November} 2023


HON JOHN CAREY MLA
MINISTER FOR LANDS
(or his representative in the Legislative Council)

AMENDMENT OF CLASS 'A' RESERVE 1167 UNDER SECTION 42(4) OF THE LAND ADMINISTRATION ACT 1997 – SHIRE OF CAPEL

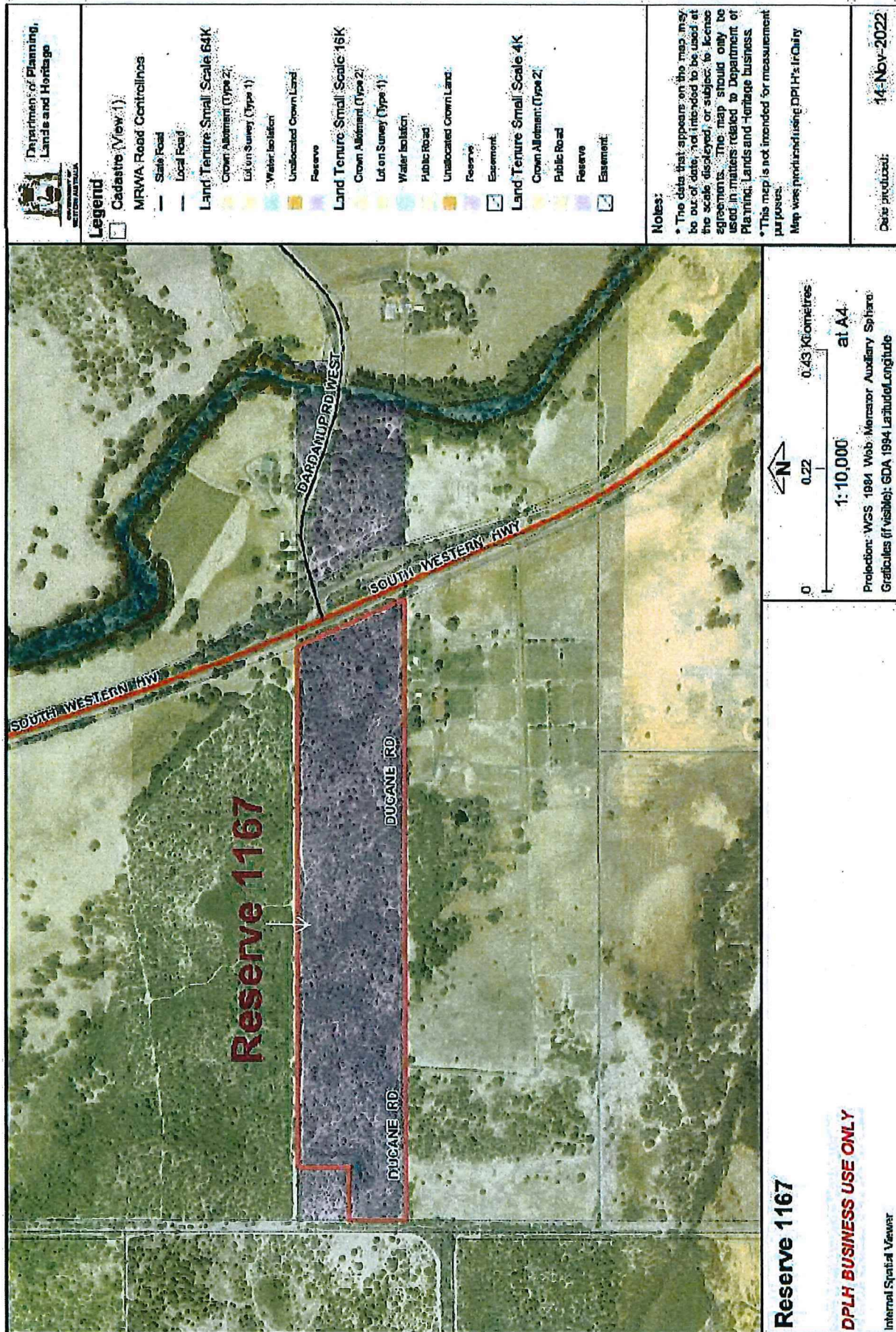
Class 'A' Reserve 1167 (Reserve) is set aside for the purpose of 'Parklands' in North Boyanup and is currently unmanaged (Attachment 1).

The Department of Biodiversity, Conservation and Attractions is requesting that the purpose of the Reserve be changed to 'Conservation of Flora and Fauna', which will enable the Conservation and Parks Commission to accept management of the Reserve.

In accordance with section 42(5) of the *Land Administration Act 1997* (LAA), the proposal was advertised in *The West Australian* newspaper on 15 June 2023. At the conclusion of the designated advertising period, no comments or objections were received (Attachment 2).

As the Reserve has Class 'A' status, it is necessary to obtain the approval of both Houses of Parliament to amend the Reserve pursuant to section 42(4) of the LAA.

**ELECTORAL DISTRICT OF COLLIE-PRESTON
SOUTH WEST REGION
SHIRE OF CAPEL**





Government of **Western Australia**
Department of Planning, Lands and Heritage

CLASS 'A' RESERVE 1167 – SHIRE OF CAPEL
LAND ADMINISTRATION ACT 1997 (LAA)

I, Anthony Kannis, Director General, Department of Planning, Lands and Heritage under delegation of the Minister for Lands, give notice pursuant to section 42(5) of the *Land Administration Act 1997* (LAA), that it is intended to act in relation to Class 'A' Reserve 1167.

It is proposed to amend the description and purpose of Reserve 1167 as follows:

- Redescribe Reserve 1167 as Lot 500 on Deposited Plan 53071 pursuant to section 42(3)(d) of the LAA.
- Change the purpose of Reserve 1167 from 'Parklands' to 'Conservation of flora and fauna' pursuant to section 42(4)(c) of the LAA.

Prior to proceeding with this action, you have the opportunity to provide comments on the proposal within 30 days of the publication of this notice. To enable your comments to be taken into account or to arrange a viewing of the relevant plans, please contact Alexander John by email alexander.john@dplh.wa.gov.au or the Department of Planning, Lands and Heritage, Locked Bag 2506 Perth WA 6001 or telephone (08) 6552 4511 quoting the following reference numbers:

File No. 03158-1886

Case No. 2201015

DIRECTOR GENERAL
DEPARTMENT OF PLANNING, LANDS AND HERITAGE

DOPH_16017